In the Supreme Court of the United States

OCTOBER TERM, 1972

No. 72-720

WILLIAM H. BLACKWELL, PETITIONER

v.

UNITED STATES OF AMERICA

ON PETITION FOR A WRIT OF CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE DISTRICT OF COLUMBIA CIRCUIT

MEMORANDUM FOR THE UNITED STATES IN OPPOSITION

After a jury trial with a co-defendant in the United States District Court for the District of Columbia, petitioner was convicted of having received, concealed or retained property of the United States Government, knowing it to have been stolen, in violation of 18 U.S.C. 641. He was sentenced to a prison term of from two to six years. The court of appeals affirmed in a lengthy opinion (Pet. App. 1a-20a).

Petitioner's sole contention is that the government's evidence was insufficient. The pertinent facts are set out in the opinion below, upon which we rely, and are sufficient to support the jury's finding that petitioner knew the government property he was seen helping to carry had been stolen. (Pet. App. 2a-5a, 16a-20a.)

It is therefore respectfully submitted that the petition for a writ of certiorari should be denied.

ERWIN N. GRISWOLD,
Solicitor General.

DECEMBER 1972.

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